

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

Ijaba Ahmed, John McClellan,

Civil No. 07-3965 (RHK/JSM)

Plaintiffs,

ORDER

v.

JCPenny, a/k/a JC Penny Corp Inc.

Defendant.

Pursuant to Plaintiff's Motion to Dismiss Without Prejudice (Doc. No. 4), **IT IS ORDERED** that this action is **DISMISSED WITHOUT PREJUDICE**.

Dated: October 11, 2007

s/Richard H. Kyle

RICHARD H. KYLE

United States District Judge